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Los Angeles City Council, **Journal/Council Proceeding**

Wednesday, September 27, 2017

JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET, LOS ANGELES, CA 90012 - 10:00 AM

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL

Members Present: Blumenfield, Buscaino, Englander, Harris-Dawson, Huizar, Krekorian, Martinez, O'Farrell, Price, Rodriguez and President Wesson (11); **Absent:** Bonin, Cedillo, Koretz and Ryu (4)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items for which Public Hearings Have Been Held

ITEM NO. (1)

[14-0698](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the reappointment of Mr. Jose Sandoval to the Police Permit Review Panel.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Jose Sandoval to the Police Permit Review Panel for the term ending June 30, 2022 is **APPROVED** and **CONFIRMED**. Mr. Sandoval resides in Council District 6. (Current Panel gender composition: F=3; M=4)

Financial Disclosure Statement: Filed.

Community Impact Statement: None submitted.

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 29, 2017)**Adopted, (11); Absent: Bonin, Englander, Koretz, Ryu (4)**

ITEM NO. (2)

[17-0928](#)

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing Design-Build criteria for the Haynes Generating Station (HGS) Units 3 through 6 Demolition Project (Project).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of August 15, 2017, Resolution No. 018-037, authorizing the HGS Units 3 through 6 Project.
2. PRESENT and ADOPT the accompanying ORDINANCE dated September 13, 2017, authorizing the Board to award a contract pursuant to a competitive sealed proposal method, to permit negotiations relating to the HGS Units 3 through 6 Project.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Resolution will impact the Power Revenue Fund with expenditures of approximately \$91.4 million. There is no impact to the City's General Fund. The proposed Resolution complies with the Los Angeles Department of Water and Power adopted Financial Policies.

Community Impact Statement: None submitted.

Adopted, (12); Absent: Bonin, Koretz, Ryu (3)

ITEM NO. (3)

[17-0959](#)

ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the acceptance and expenditure of \$300,000 from the University of Southern California (USC) to provide work readiness and employment services for 120 individuals for the USC Village Local Project Area.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Economic and Workforce Development Department (EWDD), or designee, to:
 - a. Accept funds from USC in the amount of \$300,000 to provide work readiness and employment services for 120 individuals for the USC Village Local Project Area.
 - b. Execute contract agreements with the four service providers identified below, and for amounts not to exceed those listed below, retroactive to June 1, 2017 through November 30, 2017:

<u>Service Provider</u>	<u>Allocation</u>
Archdiocesan Youth Employment	\$75,000
Pacific Asian Consortium in Employment	75,000
Los Angeles Hospitality Training Academy	75,000
RightWay Foundation	<u>75,000</u>
Total:	\$300,000

2. AUTHORIZE the Controller to:

- a. Establish a receivable of \$300,000 within the Miscellaneous Fund No. 45L from USC.
 - b. Establish a new account 22PXXX, titled USC Village Local Project, within the Miscellaneous Fund No. 45L and appropriate \$300,000.
 - c. Expend funds from Account No. XXX, USC Village Local Project, within the Miscellaneous Fund No. 45L upon presentation of proper documentation from the EWDD General Manager, or designee.
3. AUTHORIZE the General Manager, EWDD, or designee to prepare Controller instructions for any necessary technical adjustments, subject to the review by the City Administrative Officer; and, REQUEST the Controller to implement the instructions.

Fiscal Impact Statement: The EWDD and Workforce Development Board (WDB) report that there is no impact to the General Fund. All recommendations contained in the joint EWDD and WDB report are fully supported by the USC funds.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PRICE - WESSON)

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

AMEND the Economic Development Committee Report to adopt the recommendations contained within the City Administrative Officer Report dated September 25, 2017.

Adopted as Amended, (11); Absent: Bonin, Englander, Koretz, Ryu (4)

ITEM NO. (4)

[14-1072](#)

CD 9

ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the South Los Angeles Industrial Tract (property-based) Business Improvement District's (BID) 2017 Fiscal Year (FY) Annual Planning Report.

Recommendations for Council action:

1. FIND that:
 - a. The FY 2017 Annual Planning Report for the South Los Angeles Industrial Tract BID, attached to the Council file, complies with the requirements of the State Law.
 - b. The increase in the 2017 budget concurs with the intentions of the South Los Angeles Industrial Tract BID's Management District Plan and does not adversely impact the benefits received by assessed property owners.
2. ADOPT the FY 2017 Annual Planning Report for the South Los Angeles Industrial Tract BID, attached to the Council file, pursuant to the State Law.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (5)

[17-1059](#)

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative

to a proposed Foreign Trade Zone (FTZ) Operating Agreement with Molex, LLC, in the City of Rancho Cucamonga.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Harbor Department (Port) Resolution No. 17-8144 authorizing proposed FTZ Operating Agreement No. 17-3515 with Molex, LLC, in FTZ No. 202, Site No. 51 in the City of Rancho Cucamonga for an initial term of five years, with three subsequent five-year renewal options, for a contract term up to a total of 20 years.

Fiscal Impact Statement: The City Administrative Officer reports that Molex has paid the Port a one-time application fee of \$5,000 and an annual fee from the beginning of its FTZ agreement. Molex will pay the Port an annual administrative fee of \$10,000 per year or \$50,000 for one five-year contract term, and each subsequent five-year contract term. Molex will have three additional renewal options, subject to approval by the Board of Harbor Commissioners, up to a total 20-year contract term. Total revenue amount may generate up to \$205,000, including the \$5,000 application fee. In 2016, the Port incurred expenses of approximately \$48,606 for outside consultants for all FTZ related consulting services and collected \$336,688 in revenue from Port FTZ operators. The Port provides FTZ sites as a service to its customers to promote international trade and commerce in the region.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 13, 2017

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (6)
[17-1058](#)

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to a proposed Foreign Trade Zone (FTZ) Operating Agreement with CNS Enterprises, Inc. (CNS), to operate a warehouse in Pico Rivera.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Harbor Department (Port) Resolution No.17-8133 authorizing proposed FTZ Operating Agreement No. 17-3510 with CNS to operate a warehouse within FTZ No. 202, Site No. 50, in Pico Rivera, California, for an initial term of five years, with three subsequent five-year renewal options, for a contract term up to 20 years.

Fiscal Impact Statement: The City Administrative Officer reports that CNS has paid the Port a one-time application fee of \$5,000 and an annual fee from the beginning of its FTZ agreement. CNS will pay the Port an annual administrative fee of \$7,750 per year or \$38,750 for one five-year contract term, and each subsequent five-year contract term. CNS will have three additional renewal options, subject to approval by the Board of Harbor Commissioners, up to a total 20-year contract term. Total revenue amount may generate up to \$162,500, including the \$5,000 application fee. In 2016, the Port incurred expenses of approximately \$48,606 for outside consultants for all FTZ related consulting services and collected \$336,688 in revenue from the Port FTZ operators. The Port provides FTZ sites as a service to its customers to promote international trade and commerce in the region.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 13, 2017

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (7)

[12-1349](#)

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to amending the Foreign Trade Zone (FTZ) Operating Agreement with Schafer Brothers Distribution Center, Inc. (Schafer), to operate a warehouse in Carson.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Harbor Department (Port) Resolution No. 17-8135 authorizing the Second Amendment No. 17-2633-B for an additional five-year term for FTZ Operating Agreement No. 2633 with Schafer for the continued operation of a warehouse within FTZ No. 202, Site No. 12, in Carson, California.

Fiscal Impact Statement: The City Administrative Officer reports that Schafer has paid the Port a one-time application fee of \$5,000 and an annual fee from the beginning of its FTZ agreement. Schafer will pay the Port an annual fee of \$7,750 per year or \$38,750 in each of the remaining five-year contract terms. Schafer will have two additional renewal options, subject to approval by the Board of Harbor Commissioners, up to the total 20-year contract term. Total revenue amount is \$160,000, including the \$5,000 application fee. However, the Port has incurred expenses of approximately \$48,606 for outside FTZ related consulting services and \$336,688 in revenue has been collected from the Port FTZ operators. The Port provides FTZ sites as a service to its customers to promote international trade and commerce in the region.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 13, 2017

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (8)

[17-0758](#)

PUBLIC SAFETY, PERSONNEL AND ANIMAL WELFARE, and BUDGET AND FINANCE COMMITTEES' REPORT and RESOLUTION relative to grant acceptance packet for the California Board of State and Community Corrections Proposition (Prop) 47 Safe Neighborhoods and Schools Grant Program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney, or designee, to:
 - a. Execute the grant agreement between the California Board of State and Community Corrections (BSCC) and the City Attorney's Office.
 - b. Accept the grant award in the amount of \$6,000,000 from BSCC.
 - c. Execute the grant agreement between the City Attorney's Office and Project 180.
 - d. Issue three Request for Proposals: one for a research partner, one for a housing partner, and one to expand local service provider capacity and to execute grant agreements between the City Attorney's Office and the selected providers.
 - e. Execute vendor agreements between the City Attorney's Office and Project 180.
2. ADOPT the accompanying RESOLUTION requested by the State Board of Supervision and Community Corrections for receipt of the grant award.

3. RESOLVE that employment authority in the City Attorney's Office for the period of July 1, 2017 to June 30, 2018, for one City Attorney Administrative Coordinator I (Class Code 0567) resolution authority position is APPROVED.
4. RESOLVE that employment authority in the City Attorney's Office for the period of July 1, 2017 to June 30, 2018, for one Deputy City Attorney II (Class Code 0595) resolution authority position is APPROVED.
5. AUTHORIZE the Controller to:

- a. Establish a receivable for this program totaling \$6,000,000 from BSCC.
- b. Establish an appropriation account within Fund No. 368 City Attorney Grants, as follows:

<u>Account No.</u>	<u>Title</u>	<u>Amount</u>
12P960	Prop 47 Grant Program	\$6,000,000

6. AUTHORIZE the City Attorney, or designee, to:
 - a. Transfer \$203,835 from Fund No. 368/12, Account No. 12P960 to Fund No. 100/12, Account No. 001010 - Salaries General, for Fiscal Year (FY) 2017-18.
 - b. Transfer, upon receipt of grant reimbursement and approval of expenses, up to \$323,640 from Fund No. 368/12, Account No. 12P960 to Fund No. 100/12, Revenue Source No. 5361, Related Cost Reimbursement - Other Funds, to reimburse for the fringe benefits and related costs during the three year grant period.
7. INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council meeting on **JULY 1, 2018**, or shortly thereafter, the following action related to the Prop 47 Grant Program:

AUTHORIZE the Controller to transfer \$182,409 from Fund No. 368/12, Account No. 12P960 to Fund No. 100/12, Account No. 001010 - Salaries General, for FY 2018-19 salary expenses.

8. INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council meeting on **JULY 1, 2019**, or shortly thereafter, the following action relative to the Prop 47 Grant Program:

AUTHORIZE the Controller to transfer \$190,451 from Fund No. 368/12, Account No. 12P960 to Fund No. 100/12, Account No. 001010 - Salaries General, for FY 2019-20 salary expenses.

9. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total project cost of the Los Angeles Diversion Outreach and Opportunities for Recovery is \$6,149,883 of which \$6,000,000 will be reimbursed by the BSCC Proposition 47 Grant Program. The grant will provide full direct cost funding of \$5,676,360 and partial related cost funding of \$323,640. The remaining related costs of \$149,883 for one Deputy City Attorney II and one City Attorney Administrative Coordinator I will not be recovered. However, no additional General Fund appropriation is required at this time. The acceptance of the use of the grant funds meets the City's Financial Policies in that the City's costs for the program are recovered as much as possible.

Community Impact Statement: None submitted.

Adopted - TO THE MAYOR FORTHWITH, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (9)

[12-1311](#)

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative

to amending the Foreign Trade Zone (FTZ) Operating Agreement with Customs Air Warehouse, Inc. (Customs), to operate a warehouse in Carson.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Harbor Department (Port) Resolution No.17-8134 authorizing the Second Amendment No. 17-3064-B for an additional five-year term to FTZ Operating Agreement No.12-3064 with Customs for the continued operation of a warehouse within FTZ No. 202, Site No. 10E, in Carson, California.

Fiscal Impact Statement: The City Administrative Officer reports that Customs has paid the Port a one-time application fee of \$5,000 and an annual fee from the beginning of its FTZ agreement. Customs will continue to pay to the Port an annual fee of \$7,750 per year or \$38,750 in each of the remaining five-year contract terms. Customs will have two additional renewal options, subject to approval by the Board of Harbor Commissioners, up to the total 20-year contract term. Total revenue amount is \$160,000, including the \$5,000 application fee. However, the Port has incurred expenses of approximately \$48,606 for outside FTZ related consulting services and collected \$336,688 in revenue from the Port FTZ operators. The Port provides FTZ sites as a service to its customers to promote international trade and commerce in the region.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 13, 2017

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (10)

[17-1030](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to amending the Los Angeles World Airports (LAWA) lease agreement with Virgin Atlantic Airways, Ltd., to extend the term and to adjust the size of land and paving area within Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Lease No. LAA-8637 with Virgin Atlantic Airways, Ltd., to extend the term for five years and to adjust the size of land and paving area within LAX at 5758 West Century Boulevard for the purpose of continuing freighter and passenger aircraft cargo processing operations, subject to compliance with the following City Standard Provisions for Contracts and Leases: the Living Wage and Service Contractor Worker Retention Ordinances, Affirmative Action Program, Child Support Obligations Ordinance, Contractor Responsibility Program, Equal Benefits Ordinance, and the First Source Hiring Program for all non-trade airport jobs; and, further subject to the approval of the City Attorney as to form and legality.
3. CONCUR with the action taken by the Board of Airport Commissioners on August 25, 2017, by Resolution No. 26307 authorizing the Chief Executive Officer, LAWA, to execute the First Amendment to Lease No. LAA-8637 with Virgin Atlantic Airways, Ltd., to extend the term and adjust the size of land and paving area within LAX.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund or LAWA's capital budget. Approval of the proposed First Amendment with Virgin Atlantic Airways, Ltd., will result in annual revenue of approximately \$2,120,046 and approximately \$10,600,228 over the five-year term extension (excluding the automatic annual rental rate adjustments) for a net increase of approximately \$346,585 over the previous five-year period. This lease complies with LAWA's adopted financial policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 10, 2017

(LAST DAY FOR COUNCIL ACTION - OCTOBER 10, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (11)

[17-1033](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to amending the Los Angeles World Airports (LAWA) lease agreement with Asiana Airlines, Inc., to extend the term and to increase the building rental rate for a facility located within Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Lease No. LAA-8638 with Asiana Airlines, Inc. to extend the term for five years and to increase the building rental rate for a facility located within LAX at 5758 West Century Boulevard, for the purpose of continuing freighter and passenger aircraft cargo processing operations, subject to compliance with the following City Standard Provisions for Contracts and Leases: the Living Wage and Service Contractor Worker Retention Ordinances, Affirmative Action Program, Child Support Obligations Ordinance, Contractor Responsibility Program, Equal Benefits Ordinance, and the First Source Hiring Program for all non-trade airport jobs; subject to the approval of the City Attorney as to form and legality.
3. CONCUR with the action taken by the Board of Airport Commissioners on August 25, 2017, by Resolution No. 26308 authorizing the Chief Executive Officer, LAWA, to execute the First Amendment to Lease No. LAA-8638 with Asiana Airlines, Inc., to extend the term for five years and to approve the building rental rate increase for a facility located within LAX.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund or LAWA's capital budget. Approval of the proposed First Amendment with Asiana Airlines, Inc., will result in annual revenue of approximately \$2,095,280 and approximately \$10,476,400 over the five-year term extension (excluding the automatic annual rental rate adjustments) for a net increase of approximately \$319,000 over the previous five-year period. This lease complies with LAWA's adopted financial policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 10, 2017

(LAST DAY FOR COUNCIL ACTION - OCTOBER 10, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (12)

[17-1014](#)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the WalkPlus Program.

Recommendations for Council action, pursuant to Motion (Koretz - Wesson):

1. INITIATE a competition among the City Council offices to not only participate in the WalkPlus Program but to compete against one another for the most number of miles traveled on the virtual trails.

2. INSTRUCT the Personnel Department to provide moral support, keep track of the progress of each Council office team, and recognize the winning Council office(s) upon conclusion of the campaign.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (13)

[17-0600-S45](#)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the Targeted Local Hiring and Strategic Workforce Development Task Force.

Recommendation for Council action:

NOTE and FILE the Personnel Department report dated September 12, 2017, attached to the Council file, regarding the Targeted Local Hiring and Strategic Workforce Development Task Force.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (14)

[17-0600-S111](#)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the substitute and in-lieu position authorities needed in the Fiscal Year 2017-18 Budget.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report, dated September 12, 2017, attached to the Council file, regarding the substitute and in-lieu position authorities needed in the Fiscal Year 2017-18 Budget.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (15)

[07-0878-S2](#)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to an amendment to the Memorandum of Understanding for the Clerical and Support Services Unit (MOU No. 3).

Recommendations for Council action:

1. APPROVE the accompanying Amendment No. 2 (attached to the Council file) to the MOU No. 3, between the City of Los Angeles and the All City Employees Association, Local 3090, AFSCME, AFL-CIO.
2. AUTHORIZE the City Administrative Officer (CAO) and the Controller to make clerical or technical corrections to MOU No. 3, as may be necessary.

Fiscal Impact Statement: The CAO reports that with regards to the Los Angeles Department of Building and Safety, there is no fiscal impact to the General Fund, as these positions are

funded by the Enterprise Fund. Regarding the Library Department, the estimated annual fiscal impact is approximately \$820,000.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (16)
[12-1762](#)

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT relative to a proposed First Amendment to Contract No. 122152 with ABB Enterprise Software, Inc. (formerly known as Ventyx, Inc.) to provide software maintenance and support services for the Enterprise Maintenance, Planning, and Control (EMPAC) system.

Recommendation for Council action:

AUTHORIZE the Board of Public Works, on behalf of the Bureau of Sanitation, to execute the First Amendment to Contract No. 122152 with ABB Enterprise Software, Inc. to provide software maintenance and support services for the EMPAC system for an additional three years, from July 1, 2018 through June 30, 2021, at a cost not to exceed \$4,425,000.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Funding for the First Amendment will be provided by the Sewer Construction and Maintenance Fund and \$275,000 has been included in the 2017-18 Budget for the first year costs. Subsequent year funding will be provided by the City's annual budget process and subject to the availability of funds and Mayor and Council approval. The contract includes a Financial Liability Clause which limits the City's annual financial liability to the extent of its annual budget appropriation. The recommendation in this report complies with the City's Financial Policies as on-going funding will support on-going expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 23, 2017

(LAST DAY FOR COUNCIL ACTION - OCTOBER 20, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (17)
[13-1158](#)

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT relative to a proposed First Amendment to Contract No. 123701 with Miron Electric Construction Corporation (Miron) to provide specialized high voltage services in the City's water reclamation plants and sewage pumping plants for an additional year.

Recommendation for Council action:

AUTHORIZE the Board of Public Works, on behalf of the Bureau of Sanitation, to execute the First Amendment to Contract No. 123701 with Miron to provide specialized high voltage services in the City's water reclamation plants and sewage pumping plants for an additional year, from March 10, 2017 through March 9, 2018.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Sufficient funds within the Sewer Construction and Maintenance Fund are available to support the cost of the proposed contract. Funding for future years is provided through the City's annual budget process, subject to Mayor and Council approval. The recommendation in this report complies with the City's Financial Policies as on-going special fund revenues will support on-going expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 23, 2017

(LAST DAY FOR COUNCIL ACTION - OCTOBER 20, 2017)

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (18)

[13-1468](#)

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT and RESOLUTION relative to the acceptance of Brownfields Community Area-Wide Assessment Grant funds from the United States Environmental Protection Agency (USEPA).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Director, Bureau of Sanitation, or designee, to accept, negotiate, and execute all necessary grant funds from the USEPA Brownfields Community Area-Wide Assessment Grant.
2. ADOPT the accompanying RESOLUTION authorizing the acceptance of the USEPA Brownfields Community Area-Wide Assessment Grant.

Fiscal Impact Statement: The Board of Public Works reports that there is no fiscal impact to the City's General Fund as a result of this action. The grant award has been approved by the USEPA, and the funds will be available this year on a reimbursement basis. There are no match requirements for this type of grant.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (19)

[17-0983](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Fiscal Year (FY) 2017-18 Dispute Resolution Program (DRP) Grant.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney, or designee, to approve the Standard Agreement with the County of Los Angeles Department of Workforce Development, Aging and Community Services (WDACS) (formerly the Department of Community and Senior Services) for the period of July 1, 2017 to June 30, 2018, subject to the approval of the City Attorney as to form.
2. ACCEPT funding in the amount of \$136,490 from the WDACS per Amendment No. 3, as previously authorized by Council (Council file No. 14-0882), for the fourth year of operations.
3. APPROVE the City cash and in-kind match and additional contribution in the amount of \$34,452 for the period of July 1, 2017 through June 30, 2018.
4. AUTHORIZE the Controller to:
 - a. Establish a receivable within Fund No. 368 in the amount of \$136,490 from the County of Los Angeles.
 - b. Establish a new appropriation account within Fund No. 368 as follows:

Account No. 12P701 - DRP CO Grant - \$136,490
 - c. Transfer \$42,763 from Fund No. 368, Account No. 12P701 to Fund No. 100/12, Account No. 001010 - Salaries General.
 - d. Upon receipt of grant funds, transfer up to \$15,459 from Fund No. 368, Account No. 12P701 to Fund No. 100/12, Revenue Account No. 5361 - Related Cost Reimbursements Other Funds.

5. AUTHORIZE the City Attorney to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total cost of the 2017-18 DRP is \$170,942, of which \$136,490 will be reimbursed by the County of Los Angeles. The match requirement for the grant is \$34,452, which will be satisfied through volunteer hours and indirect costs previously allocated in the FY 2017-18 Adopted Budget. The recommendations in this report are in compliance with the City's Financial Policies in that budgeted appropriations will be balanced against receipts expected from the continuation of this grant.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (20)

[16-0429](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the escheatment of funds from the Parking Violations Trust Fund to the General Fund.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Los Angeles Department of Transportation and the City Treasurer to process the sum of \$132,214.47 from the Parking Violation Trust Fund No. 853.
2. TRANSFER all identified eligible monies to the City's General Fund.

Fiscal Impact Statement: None submitted by the Office of Finance. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (21)

[17-1064](#)

HEALTH, EDUCATION AND NEIGHBORHOOD COUNCILS COMMITTEE REPORT relative to the proposed Fiscal Year (FY) 2017-18 Senior and Family Caregiver Service Contracts.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee, to execute the proposed agreements for the Senior and Family Caregiver Service Agreements for one year for a total of \$18,604,857, subject to review and approval of the City Attorney as to form (Attachments 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H).**
2. **APPROVE the FY 2017-18 Service Units for Contractors (Attachments 2A, 2B).**
3. **APPROVE the FY 2017-18 Funding Allocations for Contractors (Attachments 2C, 2D).**
4. **AUTHORIZE the General Manager, LADOA, or designee, to prepare Controller's instructions for any technical adjustments that are consistent with Mayor and Council actions, subject to the approval of the City Administrative Officer (CAO); and AUTHORIZE the City Controller to implement these instructions.**
5. **INSTRUCT the LADOA to ensure that all Contractors maintain current insurance policies, and that the insurance information is reported through Track4LA.**

Fiscal Impact Statement: The CAO reports that funding for the proposed agreements is provided by the Older Americans Act and Older Californians Act Grant funds from the State of California Department of Aging (Council file No. 14-0364), Proposition A Local Transit Assistance funds and General City Purposes funds provided in the 2017-18 Adopted Budget (Council file No. 17-0600). There is no additional impact on the General Fund. Approval of these agreements is in compliance with the City's Financial Policies as one-time funding is being used for one-time expenditures.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

ITEM NO. (22)

[17-0002-S111](#)

RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION (O'FARRELL - KORETZ) relative to establishing the City's position regarding SB 396 (Lara), which would require employers to train supervisors in the prevention of all forms of harassment based on gender identity, gender expression, and sexual orientation.

Recommendation for Council action, pursuant to Resolution (O'Farrell - Koretz), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2017-18 State Legislative Program, **SUPPORT** for SB 396 (Lara) which would require employers to train their supervisors in the prevention of all forms of harassment based on gender identity, gender expression, and sexual orientation.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

Items for which Public Hearings Have Not Been Held - (10 Votes Required for Consideration)

ITEM NO. (23)

[17-0900-S98](#)

CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the State and 2nd Streets Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **ADOPT** the report of the Director, Bureau of Street Lighting, dated September 7, 2017.
2. **PRESENT** and **ADOPT** the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 29, 2017** as the hearing date for the maintenance of the State and 2nd Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$125.78 will be collected annually starting with tax year 2017-18 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: November 22, 2017)

Adopted to Continue, Unanimous Vote (11); Absent: Bonin, Englander, Koretz, Ryu (4)

CONTINUED TO SEPTEMBER 29, 2017

ITEM NO. (24)

[17-0900-S99](#)

CD 7 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Hubbard Street and Eldridge Avenue Street Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 18, 2017.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 29, 2017** as the hearing date for the maintenance of the Hubbard Street and Eldridge Avenue Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,832.86 will be collected annually starting with tax year 2017-18 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: November 22, 2017)

Adopted to Continue, Unanimous Vote (11); Absent: Bonin, Englander, Koretz, Ryu (4)

CONTINUED TO SEPTEMBER 29, 2017

ITEM NO. (25)

[17-0900-S100](#)

CD 6 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Lennox Avenue and Hart Street Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 18, 2017.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 29, 2017** as the hearing date for the maintenance of the Lennox Avenue and Hart Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$553.62 will be collected annually starting with tax year 2017-18 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: November 22, 2017)

Adopted to Continue, Unanimous Vote (11); Absent: Bonin, Englander, Koretz, Ryu (4)

CONTINUED TO SEPTEMBER 29, 2017

ITEM NO. (26)

[17-0900-S101](#)

CD 11 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Panama and Beethoven Streets Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 18, 2017.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 29, 2017** as the hearing date for the maintenance of the Panama and Beethoven Streets Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,264.00 will be collected annually starting with tax year 2017-18 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: November 22, 2017)

Adopted to Continue, Unanimous Vote (11); Absent: Bonin, Englander, Koretz, Ryu (4)

CONTINUED TO SEPTEMBER 29, 2017

ITEM NO. (27)

PRESENTATION BY THE LOS ANGELES AREA CHAMBER OF COMMERCE relative to its 2017 economic report for Los Angeles City Council Districts.

NO ACTION TAKEN

ITEM NO. (28)

[15-0086](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to vacating the alley southwesterly of Ventura Boulevard and southeasterly of Fruitland Drive, VAC-E1401251, (Vacation).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of August 23, 2017, that the Vacation, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. REAFFIRM the FINDINGS of August 23, 2017, that the Vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No. 17-1401251 (Resolution) for the Vacation.
4. INSTRUCT the City Clerk to transmit, following Council adoption, the Resolution to the Land Development and GIS Division of the Bureau of Engineering for recordation of the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: None submitted by the City Engineer. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (29)

[17-0891](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of CHARLES AZNAVOUR on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of CHARLES AZNAVOUR at 6225 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (30)

[17-0890](#)

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of TRACY MORGAN on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of TRACY MORGAN at 6284 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (31)

[17-0889](#)

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of JEFFREY TAMBOR on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of JEFFREY TAMBOR at 6320 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (32)

[17-0888](#)

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of JEFF DUNHAM on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of JEFF DUNHAM at 6201 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (33)

[17-0887](#)

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of DEBRA MESSING on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of DEBRA MESSING at 6201 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (34)

[14-1305-S1](#)

CD 15

MOTION (BUSCAINO - HARRIS-DAWSON) relative to a personal services contract with Gianine Rizzi to provide services for the 15th Council District.

Recommendations for Council action:

1. APPROVE the personal services contract attached to the Council file, with Gianine Rizzi, to provide services for the 15th Council District from August 1, 2017 to July 31, 2018 in an amount not to exceed \$16,000.
2. AUTHORIZE the Councilmember of the 15th Council District to execute this contract on behalf of the City.
3. AUTHORIZE the City Clerk to encumber the necessary funds against the Contractual Services Account of the Council Fund for Fiscal Year 2017-18 and to reflect it as a charge against the budget of the involved Council office.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (35)

[17-1072](#)

CD 12

MOTION (RODRIGUEZ for ENGLANDER - CEDILLO) relative to funding for any aspect of the efforts/operations of the Granada Hills Chamber of Commerce or Granada Hills Community Foundation, including an annual Street Faire event.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ALLOCATE/APPROPRIATE \$5,000 in the Sunshine Canyon Community Amenities Trust Fund No. 699/14 for any aspect of the efforts/operations of the Granada Hills Chamber of Commerce or Granada Hills Community Foundation, including an annual Street Faire event.
2. DIRECT the City Clerk to prepare and process the necessary document(s) with, and/or payment(s) to Granada Hills Chamber of Commerce, or any other agency or organization, as appropriate, in the above amount, from the above source, and for the above purposes, subject to the approval of the City Attorney as to form, if needed; and, AUTHORIZE the Council Member of the 12th District to execute any such documents on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarification to the above fund transfer instructions in order to effectuate the intent of this Motion.

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

ITEM NO. (36)

FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and Adopt the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as

specified:

(a)

[17-1080](#)

CD 13

FINAL MAP OF TRACT NO. 73188 located at 2914 and 2918 Glenhurst Avenue, easterly of Silver Lake Boulevard.

Owner: Glenhurst Ventures, LLC; Surveyor: Bryan Gentry

Adopted, (10); Absent: Bonin, Englander, Koretz, Martinez, Ryu (5)

MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Closed Session

ITEM NO. (37)

[17-0776](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Kevin Kenny, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC527146. (This matter involves a traffic accident which occurred on March 24, 2013, at Cahuenga Boulevard and Hollycrest Drive.)

(Budget and Finance Committee considered the above matter in Closed Session on September 18, 2017)

ADOPTED

MOTION (KREKORIAN - KORETZ)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **AUTHORIZE the City Attorney to expend up to \$300,000 in settlement of the above-entitled matter.**
2. **AUTHORIZE the Controller to transfer \$300,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.**
3. **AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts, in the amount of \$300,000 and made payable to AlderLaw PC and Kevin Kenny.**
4. **AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.**

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

MOTION ADOPTED IN OPEN SESSION

ITEM NO. (38)

[17-0952](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Jesus Olague v. City of Los Angeles, Los Angeles Superior Court Case No. BC571169. (This matter involves a traffic collision that occurred on April 24, 2013 at 2nd and Los Angeles Streets in the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on September 18, 2017)

ADOPTED

MOTION (KREKORIAN - KORETZ)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **AUTHORIZE** the City Attorney to expend up to \$750,000 in settlement of the above-entitled matter.
2. **AUTHORIZE** the Controller to transfer \$750,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
3. **AUTHORIZE** the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, in the amount of \$750,000 and made payable as follows: The Simon Law Group, LLP; Lederer and Nojima, LLP Offices; and Jesus Olague.
4. **AUTHORIZE** the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, **AUTHORIZE** the Controller to implement the instructions.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

MOTION ADOPTED IN OPEN SESSION

ITEM NO. (39)

[17-0951](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled William K. W. Yao v. City of Los Angeles, Los Angeles Superior Court Case No. BC598202. (This matter involves a traffic accident which occurred on September 7, 2014, at Reseda Boulevard and Brasilia Drive.)

(Budget and Finance Committee considered the above matter in Closed Session on September 18, 2017)

Adopted to Continue, Unanimous Vote (12); Absent: Bonin, Koretz, Ryu (3)

CONTINUED TO OCTOBER 4, 2017

ITEM NO. (40)

[17-0916](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled IMT Capital II Beverly Arnaz LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BC645302. (Lawsuit concerning 467 South Arnaz Drive in Council District 5; this matter is an inverse condemnation action arising out of a sewer backup for which Plaintiff is seeking reimbursement for amounts it paid to repair its apartment building.)

(Budget and Finance Committee considered the above matter in Closed Session on September 18, 2017)

ADOPTED

MOTION (KREKORIAN - KORETZ)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **APPROVE** settlement of the Plaintiff's claims in the amount of \$178,000.
2. **AUTHORIZE** the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. **AUTHORIZE** and **REQUEST** the City Attorney to draw a demand warrant in the amount of \$178,000 from Fund No. 100/59, Account No. 009794, Public Works, Sanitation Liability Payouts, and made payable to the Chen, Horwitz and Franklin, Inc. Client Trust Account.

4. **AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.**

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

MOTION ADOPTED IN OPEN SESSION

ITEM NO. (41)

[17-1048](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled City of Los Angeles v. Matosantos, et al., Sacramento County Superior Court Case No. 34-2013-800001546-CU-WM-GDS. (This matter arises out of contracts between the City of Los Angeles and Community Redevelopment Agency that were voided by AB 1X 26, the Redevelopment Dissolution Statute, and that the City and CRA/LA re-entered after redevelopment dissolution.)

(Budget and Finance Committee considered the above matter in Closed Session on September 18, 2017)

ADOPTED

MOTION (KREKORIAN - KORETZ)

Recommendation for Council action:

AUTHORIZE and DIRECT Richards, Watson and Gershon (the City's outside Counsel in the above-entitled matter) to dismiss without prejudice the Petition for Writ of Mandate and Complaint for Declaratory Relief filed on June 27, 2013, and subsequently amended on August 7, 2013, against the California Department of Finance.

Adopted, (11); Absent: Bonin, Cedillo, Koretz, Ryu (4)

MOTION ADOPTED IN OPEN SESSION

At the conclusion of this day's Council Session ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

17-0003-S2 Edward Jose Mena O'Farrell - All Councilmembers

ENDING ROLL CALL

Blumenfield, Buscaino, Cedillo, Harris-Dawson, Huizar, Krekorian, O'Farrell, Price, Rodriguez, and President Wesson (10); Absent: Bonin, Englander, Koretz, Martinez and Ryu (5)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

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- [Attachments-128/clkcouncilactions2115935_10202017.html](#)